



**ORDINANCE BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

02-0-1100

July 15, 2002

AUTHORIZING THE MAYOR TO GRANT AN UPDATED EXISTING PERMANENT EASEMENT ACQUIRED BY THE GEORGIA POWER COMPANY IN 1911 FROM JULIAN B. THOMPSON FOR PARCELS OF LAND AT 120 HYACINTH AVENUE/21185 VERBENA STREET IN LAND LOT 179 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA; PRESENTLY OWNED BY THE CITY OF ATLANTA AND KNOWN AS THE VERBENA STREET PLAYLOT, SO AS TO DEFINE THE RIGHT-OF-WAY WIDTH TO 100' WIDE, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

Whereas, Georgia Power Company has requested an updated existing permanent easement in the City's Verbena Street Playlot, located in Land Lot 179 of the 14th District of Fulton County, Georgia, so as to define the Right-of-way width to 100' wide; and

Whereas, Georgia Power Company has owned the permanent easement since 1911; and

Whereas, Georgia Power Company wants to update their easement to reflect current ownership and to define the right-of-way to 100 ft.; and

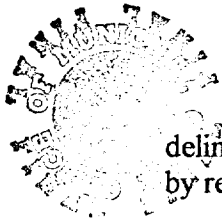
Whereas, the Department of Parks Recreation and Cultural Affairs has verified that Georgia Power Company's proposed updating of their transmission line on each side of the existing easement area will not impact any improvements on the Verbena Street Playlot; and

Whereas, Re-building of this transmission line is critical to the electrical service needs of the City of Atlanta residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
as follows:

Section 1: That the Mayor be and is hereby authorized to grant an updated existing permanent easement acquired by the Georgia Power Company in 1911 from Julian B. Thompson for parcels of land at 120 Hyacinth Avenue/21185 Verbena Street in Land Lot 179 of the 14th District, Fulton County, Georgia, presently owned by the City of Atlanta and known as the Verbena Street Playlot, for the purpose of defining the right-of-way width to 100' wide, on behalf of the Department of Parks, Recreation and Cultural Affairs.

Section 2: That the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs acting as the Mayor's designee, is authorized to review and approve the terms and conditions of the updated existing permanent easement as described and



delineated in the easement packet attached hereto, as Exhibit "A", and made a part hereof by reference.

Section 3: That Georgia Power Company has agreed that the easement is appraised at \$6,300.00 and Georgia Power Company is willing to make payment to the City of Atlanta.

Section 4: That the City Attorney is hereby directed to review and approve the terms and conditions of the updated existing permanent easement prior to execution by the Mayor.

Section 5: That all Ordinances and parts of Ordinances in conflict herewith be and the same hereby are repealed.

A true copy,

Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

JULY 15, 2002
JULY 22, 2002

4836/145-6
Par. 218
\$ 221

2071722

DEED OF GIFT

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, Made the 13th day of December, in the year one thousand nine hundred sixty-seven, between

BERNARD HALPERN

of the County of Fulton, and State of Georgia, as party of the first part, hereinafter called Grantor, and

CITY OF ATLANTA, a Municipal Corporation
of the State of Georgia

as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of ONE DOLLAR and for the purpose of a gift has given and conveyed, and by these presents does give and convey unto said Grantee:

PARCEL 1. All that tract or parcel of land located in Land Lot 179 of the 14th District, Fulton County, Ga. and being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the northerly side of Pansy Street (not open) with the westerly side of Hyacinth Avenue; thence northerly along the said westerly side of Hyacinth Avenue 55.5 feet to an iron pin; thence westerly, forming an interior angle of 89 degrees 31 minutes with the preceding course, 117.8 feet to an iron pin; thence southerly 54.5 feet to an iron pin located on the said northerly side of Pansy Street (said iron pin also being 118.0 feet easterly from the easterly side of Dahlia Avenue); thence easterly along said northerly side of Pansy Street 117.8 feet to the point of beginning. All in accordance with plat of survey made by James Robert Cheatham, Registered Land Surveyor, dated November, 1967.

PARCEL 2. All that tract or parcel of land located in Land Lot 179 of the 14th District, Fulton County, Ga. and being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the easterly side of Dahlia Avenue with the southerly side of Pansy Street (not open); thence extending south 89 degrees 14 minutes

4836 145

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20 seconds east 236.3 feet along the said southerly side of Pansy Street to an iron pin located at the westerly side of Hyacinth Avenue; thence south 00 degrees 34 minutes west 102.1 feet along the said westerly side of Hyacinth Avenue to an iron pin at the north line of the property of Piedmont Development & Investment Corporation; thence north 89 degrees 43 minutes west 138.8 feet along the north line of said property to an iron pin; thence north 1 degree 17 minutes 40 seconds east 32.0 feet to an iron pin; thence north 88 degrees 12 minutes 40 seconds west 98.0 feet to an iron pin located on the said easterly side of Dahlia Avenue; thence north 0 degrees 32 minutes east 69.5 feet along said easterly side of Dahlia Avenue to the point of beginning; containing 0.4845 acre, all in accordance with plat of survey made by James Robert Cheatham, Registered Land Surveyor, dated November, 1967.

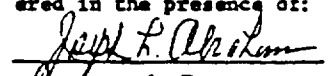
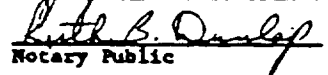
This Deed is delivered subject Sidewalk Bills No. 128486 and No. 128488 of the City of Atlanta and all City, State and County Taxes on said property for the year 1967 and subsequent years.

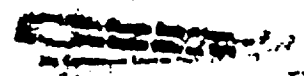
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year above written.

 (SEAL)
Bernard H. Hipern

Signed, sealed and delivered in the presence of:

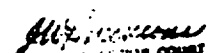


Notary Public



FILED
FULTON CO. GA.
DEC 21 1 41 PM '67

RECORDED
FULTON CO. GA.
DEC 27 '67

N. P.
SEAL


CLERK, FULTON COUNTY


CLERK, FULTON COUNTY

4836 146



60- 913

Boulevard Northwest E.P.

L.F.

6-156

H-84

876

STATE OF GEORGIA)

COUNTY OF FULTON)

SS:

I, Julian B. Thompson, hereby acknowledge receipt from the Georgia Power Company of the sum of One Hundred Fifty (\$150.00) Dollars, In consideration of which sum I hereby grant, release and convey to the said Georgia Power Company, its successors or assigns, the right to build, rebuild, construct and forever maintain and operate a transmission line or lines, with all necessary towers, poles, fixtures, wires, cables, guy wires, guy stubs, brace poles, and other appliances as may be now or at any time hereafter deemed necessary or proper to safely and properly transmit electrical energy or current over and across the premises hereinafter briefly described, so owned by me or in which I may have any interest, along a line laid down on a map or survey of said proposed transmission line or lines, over and across said premises, made by the Georgia Power Company, dated May 1st, 1911, and filed or to be filed in the office of the Clerk of the County of Fulton, State of Georgia, as well as along the streets, roads and public or private highways adjoining said property.

Together with the right at all times to enter upon said premises, streets, roads, and public or private highways, to inspect, rebuild, repair and maintain said transmission line or lines, and other appliances, and to cut and remove such brush, trees or other obstructions as may now or at any time hereafter interfere or be likely to interfere with the use, maintenance and successful operation of such transmission line or lines, and the successful transmission of electricity thereon or thereby. Any timber cut by the said Company shall remain the property of the undersigned.

The premises herein above referred to over which said rights are hereby granted are described as follows:

All that tract or parcel of land lying and being in Land Lot 179 of the 14th District of originally Henry now Fulton County, Georgia, and consisting of twenty (20) acres more or less being all of lots 7 and 8 of the sub-division of the Polly Webb property according to plat appearing on record in Book 2. of Minutes, Superior Court of Fulton County, on page 385. that was conveyed by J.M. Latham to George H.

PAGE 1 OF 2

DEED BOOK
PAGE294
506

Harper and R. C. Harper, April 6, 1889 by deed recorded in Book M-3 page 302, except twenty-seven and 69/100 (27.69) acres which were sold by G. H. & R. C. Harper to Pat Calhoun, Trustee, March 17-1890, by deed recorded in Deed Book S-3 page 116 of Fulton County Records. Also,

That tract or parcel of land lying and being in Land Lot 180 of the 14th District of Fulton County, Georgia, described as follows: Commencing at the northwest corner of said land lot and running thence east along the line of said land lot ten hundred and forty-eight and 5/100 (1048.05) feet, thence south five hundred and five (505) feet to the right-of-way of the Atlanta, Birmingham and Atlantic Railroad; thence northwest along said right-of-way seven hundred and sixty (760) feet, thence north twenty five (25) feet; thence northwest along the said right-of-way three hundred and forty (340) feet to the west line of said land lot; thence north along the west line of said land lot one hundred and ten (110) feet to the beginning point and containing seven and 4/10 (7.4) acres more or less.

In Witness Whereof, I have hereunto set my hand and seal this

25th day of June, 1911.

Signed, sealed and
delivered in the
presence of:

Julian B. Thompson (Seal)

W. England
W. B. Thompson

Notary Public,

Fulton County, Georgia.

in consideration of \$1.00 to me paid
I the counsel to above, - provided no tower or
poles are located on land leased by us
and further that no wires are run over
our plant so as to interfere with same

Executed in presence

W. B. Thompson
Notary Public
W. B. Thompson

Notary Public
Fulton Co. Ga.

Bin 20010
241 Ralph McGill Boulevard, NE
Atlanta, Georgia 30308-3374
Tel 404.506.6526



April 22, 2002

Mr. Karl L. McCray, Commissioner of Parks, Recreation and Cultural Affairs
City of Atlanta
City Hall East, Eighth Floor
675 Ponce De Leon Avenue, N.E.
Atlanta, Ga. 303038

Re: East Point-Northwest Transmission Line Project-Easement request

Dear Mr. McCray,

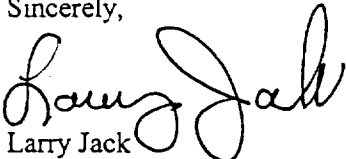
Georgia Power Company has been working on a project to re-build a major transmission line in the City of Atlanta. The line extends from the City of East Point to Northwest Atlanta. This project is referred to as the East Point-Northwest project and is critical for the electrical needs of the City of Atlanta.

The transmission line is being built along an existing line and right-of-way, which has been in place for the past 90 years. Georgia Power presently has land rights across the City of Atlanta property at the Northwest and Southwest corner of Hyacinth Avenue and Pansy Street that were purchased in 1911. We are requesting a new easement to update the present landowners to resolve any encroachments along the route and to expand the right-of-way for the long term maintenance requirements. The new right-of-way width will be 100 feet wide.

Enclosed is Georgia Power Company's easement, which includes a legal description and a survey plat. The appraisal is also included for the determination of the cost basis for this easement.

We appreciate your help and cooperation handling this requests and look forward to discussing the project with you or your staff. Should you have any questions or concerns please call Mr. Dorsey Walker at 404-572-7603.

Sincerely,


Larry Jack
Georgia Power Company
Transmission Project Manager

Cc: Dorsey Walker
Art Kersey

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW

02-0-1100
(Do Not Write Above This Line)

ORDINANCE BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AUTHORIZING THE MAYOR TO GRANT AN
UPDATED EXISTING PERMANENT EASEMENT
ACQUIRED BY THE GEORGIA POWER
COMPANY IN 1911 FROM JULIAN B.
THOMPSON FOR PARCELS OF LAND AT 120
HYACINTH AVENUE/21185 VERBENA STREET
IN LAND LOT 179 OF THE 14TH DISTRICT
FULTON COUNTY, GEORGIA; PRESENTLY
OWNED BY THE CITY OF ATLANTA AND
KNOWN AS THE VERBENA STREET PLAYLOT,
SO AS TO DEFINE THE RIGHT-OF-WAY
WIDTH TO 100' WIDE, ON BEHALF OF THE
DEPARTMENT OF PARKS, RECREATION AND
CULTURAL AFFAIRS, BUREAU OF PARKS;
AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 15 2002

- ☒ ~~CONSENT REFER~~
☐ REGULAR REPORT ~~TO COUNCIL~~
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 7/1/02
Referred to: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CS/HRS
Date 7/1/02
Chair Robert H. Williams
Referred to CS/HRS

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Mark A. Calkins
Alvin D. Jones
Robert H. Williams
Robert H. Williams
Robert H. Williams
Refer to

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JUL 15 2002

ATLANTA CITY COUNCIL PRESIDENT

Robert H. Williams

CERTIFIED
JUL 15 2002

Robert H. Williams
MUNICIPAL CLERK

APPROVED

JUL 22 2002

Mark A. Calkins
MAYOR